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Attorney for Plaintiffs,
SUSAN PACINI and GARY FERNANDES

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SUSAN PACINI, an individual; GARY
FERNANDES, an individual,

Plaintiffs,

v.

NATIONSTAR MORTGAGE, LLC, as
successor in interest to Aurora Loan Services,
LLC, a business entity; and Does 1 through 100,
inclusive,

Defendants.

Case No.: 3:12-CV-4606

REQUEST FOR TELEPHONIC
APPEARANCE AT MOTION TO
DISMISS HEARING BEFORE THE
HONORABLE SUSAN ILLSTON

The Hon. Susan Illston

DATE: March 1, 2013

TIME: 9:00 A.M.

DEPT: Courtroom 10, 19th Floor

TO THE HONORABLE COURT, PARTIES, AND ATTORNEYS OF RECORD:

WHEREAS a hearing on Defendant's Motion to Dismiss Plaintiffs' First Amended
Complaint has been set for March 1, 2013 at 9:00 a.m. before Honorable Susan Illston;

WHEREAS Plaintiffs are the true owners of properties for which Defendant acts as the
servicer under the Deeds of Trust securing Plaintiffs' loans;

WHEREAS on January 17, 2013, the Court continued Defendant Nationstar Mortgage's
Motion to Dismiss Plaintiffs' First Amended Complaint until March 1, 2013 to allow for further
briefing in the motion;

WHEREAS Plaintiffs' counsel is located in San Mateo, California;

1 WHEREAS Plaintiffs believe that given that the case is not yet at issue, a personal
2 appearance should not be required as it would actually be more efficient for Plaintiffs to appear
3 via telephone at the hearing as opposed to in person.
4

5 Dated: February 25, 2013

Respectfully submitted,

6 MELLEN LAW FIRM
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8 By: /s/ Matthew Mellen
9 Matthew Mellen, Esq.
10 Attorneys for Plaintiffs
11 SUSAN PACINI
12 GARY FERNANDES
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CERTIFICATE OF SERVICE

United States District Court – Northern District of California
Case Number: 3:12-CV-4606

I, the undersigned, declare that I am over the age of 18 and am not a party to this action. I am employed in the City of San Mateo, California; my business address is Mellen Law Firm, 411 Borel Ave., Suite 230, San Mateo, CA 94402.

On the date below, I served a copy of the foregoing document entitled:

**PLAINTIFFS' REQUEST FOR TELEPHONIC APPEARANCE AT MOTION TO
DISMISS HEARING**

on the interested parties in said case as follows:

Served Electronically Via the Court's CM/ECF System:

Counsel for Defendant:

Thomas Nathaniel Abbott

SEVERSON & WERSON

One Embarcadero Center, Suite 2600

San Francisco, CA 94111

415-398-3344

415-956-0439 (fax)

tna@severson.com

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. I declare that I am employed in the office of a member of the Bar of this Court, at whose direction the service was made. This declaration is executed in San Mateo, California on February 25, 2013.

Molly Bell

(Type or Print Name)

/s/ Molly Bell

(Signature of Declarant)